

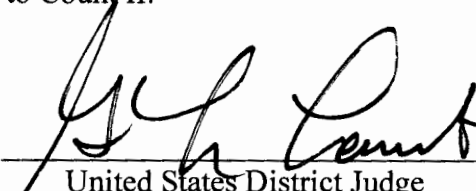
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PAUL MILLER,)	
Plaintiff,)	
)	
vs)	Civil Action No. 05-70
)	
C&K INDUSTRIAL SERVICES, INC.,)	
Defendant.)	

O R D E R

AND NOW, this 27th day of Feb, 2006, after the plaintiff filed an action in the above-captioned case, and after the defendant moved for summary judgment, and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the parties, as well as the plaintiff's response to the defendant's objections, and after independent review of the pleadings, and the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the defendant's motion for summary judgment (Docket No. 14) is denied as to Count I of the complaint and granted as to Count II.


United States District Judge

cc: All Counsel of Record

Honorable Robert C. Mitchell
United States Magistrate Judge